



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/763,335

01/26/2004

Hideo Kuboyama

00862.023413.

7510

5514

7590

08/13/2008

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

SHAH, PARAS D

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

08/13/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/763,335	<b>Applicant(s)</b> KUBOYAMA ET AL.	
	<b>Examiner</b> PARAS SHAH	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,10 and 15-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is in response to the Amendments and Arguments filed on 06/04/2008. Claims 1, 2, 4-6, 10, 15-17 remain pending and have been examined, with claims 3, 7-9, and 11-14 being cancelled. The Applicants' amendment and remarks have been carefully considered, but they do not place the claims in condition for allowance. Accordingly, this action has been made FINAL.

2. All previous objections and rejections directed to the Applicant's disclosure and claims not discussed in this Office Action have been withdrawn by the Examiner.

### ***Response to Arguments***

3. Applicant's arguments (pages 11-16) filed on 06/04/2008 with regard to claims 1, 2, 4-6, 10, 15-17 have been fully considered but they are moot in view of new grounds for rejection.

### ***Response to Amendment***

4. Applicants' amendments filed on 06/04/2008 have been fully considered but they are moot in view of new ground for rejection. The newly amended limitations in claims 1, 2, 4-6, 10, 15-17 necessitate new grounds of rejection. Specifically, the limitation of "storage means that stores a list of IDs of external devices that are each located in a private space" is one of many newly added limitations in independent claims 1, 10, 15-17, which necessitates new grounds of rejection.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 6, 10, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Alcendor *et al.* (US 6,546,082) in view of Garudadri (US 6,519,4790).

As to claims 1, 10, and 15, Alecendor teaches an information service apparatus which comprises display means for displaying text information (see col. 5, lines 49-50, display to the user), text-to-speech synthesis means for executing a text-to-speech synthesis process on the basis of the text information to generate synthetic speech (see col. 5, lines 35-36, TTS server used to convert text), and audio output means that can output the synthetic speech (see col. 6, lines 61-62, audio output is played)), comprising:

storage means that stores a list of IDs of external devices (see col. 5, lines 62-64, subscriber information is stored) that are each located in a private space (see col. 5, lines 63-64, authorized users are only allowed to use service);

acquisition means (see col. 6, lines 25-27, subscriber enters account and pin number) that acquires, from an external device in which communication between the information service apparatus and the external device is in progress, the ID of the external device (see col. 6, lines 25-27, subscriber enters information via client application 104);

determination means (see col. 6, lines 27-31, verification performed) that determines whether or not the acquired ID of the external device is stored in the list of the storage means ; and

control means (see col. 52-55, VA or Voice Aide service determines what type of impairment exists and then chooses correct output) that controls said text-to-speech synthesis means to generate the synthetic speech and then output the generated synthetic speech to the audio output means if said determination means determines that the acquired ID of the external device is stored in the list (see col. 7, lines 9-11, VA service determines and outputs audio and see Figure 3, step 318, determined if party is speech impaired and Figure 4), or controls said display means to display the text information if said determination means determines that the acquired ID of the external device is not stored in the list (see col. 8, lines 5-8, text is displayed), VA service determines and displays and see Figure 3, step 318, determined if party is hearing impaired and Figure 5, not on list of speech impaired but on list for hearing impaired).

However, Alcendor does not specifically teach the determination of external device IDs.

Garudadri et al. does teach determining and acquiring external device IDs (see col. 8, lines 12-15, agent determines caller ID of the incoming telephone call) (e.g. A caller ID is a unique association with a telephone used for identification)

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service as taught by Alcendor with the acquiring and determination of device ID as taught by Garudadri et al. The motivation to have combined the references involves information exchange between devices (see Garudadri, col. 3, lines 15).

As to claim 6, Alcendor in view of Garudadri teach all of the limitations as in claim 1, above.

Furthermore, Alcendor teaches wherein when said control means controls said text-to-speech synthesis means to output the synthetic speech to the audio output device, said control means also controls said display means to display the text information (see col. 6, lines 52-56 and col.7, lines 10-12 and col. 8, lines 10-12, based on impairment the corresponding output is determined).

7. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcendor in view of Garudadri et al. as applied to claim1 above, and further in view of Koskan (US 6,181,956).

As to claim 2, Alcendor in view of Garudadri teach all of the limitations as in claim 1 above.

Furthermore, Alcendor teaches exchange means for exchanging information with [[an]] the external apparatus via a network (see col. 5, lines 5-34, PSTN network used to exchange information),

However, Alcendor in view of Garudadri do not specifically teach the text information being mail information and web information.

Koskan does teach text information (see col. 2, lines 23, alphanumeric text messages) received by the exchange means from the external apparatus via the network (see col. 2, lines 15-19, wireless transmitter sends communication from which the user receives information), and the information includes mail information and Web information (see col. 1, lines 15-18 and col. 2, lines 23) (e.g. Alphanumeric messages consist of any textual message such as emails and information from various other sources.).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service as taught by Alcendor in view of Garudadri et al. with the information being mail and web information as taught by Koskan. The motivation to have combined the references involves information exchange between devices (see Garudadri, col. 3, lines 15 and see Koskan, col. 1, lines 25-26).

As to claim 4, Alcendor in view of Garudadri teach all of the limitations as in claim 1 above.

However, Alcendor in view of Garudadri do not specifically teach the notification of incoming message

Koskan *et al.* does teach notification means (see Figure 4, issue alert 435, 455) for, when the synthetic speech generated by said text-to-speech synthesis

means is to be output to the audio output device (See Figure 455, message in audible form ) or when the text information is to be output to the display means (see Figure 4, issue alert 435), notifying the user of an output (see col. 3, lines 25-28 and lines 35-37) (e.g. An alert is sent to the user if being presented in a visual form. The alert in the audible sense is the audible message, which tells the user the text message is being read).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service as taught by Alcendor in view of Garudadri et al. with the notification of input as taught by Koskan. The motivation to have combined the references involves the facilitation of information exchange between devices (see Garudadri, col. 3, lines 15 and see Koskan, col. 1, lines 25-26).

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alcendor in view of Garudadri as applied to claim 1 above, and further in view of Toshiyuki (JP 2001236205).

As to claim 5, Alcendor in view of Garudadri *et al.* teaches all of the limitations as in claim 1, above.

However, Alcendor in view of Garudadri *et al.* do not specifically teach the superimposing means.

Toshiyuki does teach the superposing means for superposing the synthetic speech generated by said text-to-speech synthesis means and a sound



different from the synthetic speech (see Abstract) (e.g. When an email is received, it is synthesized into speech and the music which was being output is integrated for output.),

in that wherein when the audio output device has already output the sound before the output of the synthetic speech, said superposing means superposes the synthetic speech with the sound, and the audio output device outputs the sound superposed with the synthetic speech (see Abstract) (e.g. The music already output when an email is received. For output, the integration of the text and music is performed.)

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service method and apparatus as taught by Alcendor in view of Garudadri *et al.* with the inclusion of a superposing means as taught by Toshiyuki. The motivation to have combined the references involves outputting multiple signals without interruption from other signals (see Toshiyuki, "Problem to be solved").

9. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcendor in view of Garudadri in view of Koskan in view of Toshiyuki.

As to claims 16 and 17, Alecendor teaches an information service apparatus which comprises display means for displaying text information (see col. 5, lines 49-50, display to the user), text-to-speech synthesis means for executing a text-to-speech synthesis process on the basis of the text information to generate synthetic speech (see

col. 5, lines 35-36, TTS server used to convert text), and audio output means that can output the synthetic speech (see col. 6, lines 61-62, audio output is played)), comprising:

storage means that stores a list of IDs of external devices (see col. 5, lines 62-64, subscriber information is stored) that are each located in a private space (see col. 5, lines 63-64, authorized users are only allowed to use service);

acquisition means (see col. 6, lines 25-27, subscriber enters account and pin number) that acquires, from an external device in which communication between the information service apparatus and the external device is in progress, the ID of the external device (see col. 6, lines 25-27, subscriber enters information via client application 104);

determination means (see col. 6, lines 27-31, verification performed) that determines whether or not the acquired ID of the external device is stored in the list of the storage means ; and

control means (see col. 52-55, VA or Voice Aide service determines what type of impairment exists and then chooses correct output) that controls said text-to-speech synthesis means to generate the synthetic speech and then output the generated synthetic speech to the audio output means if said determination means determines that the acquired ID of the external device is stored in the list (see col. 7, lines 9-11, VA service determines and outputs audio and see Figure 3, step 318, determined if party is speech impaired and Figure 4), or controls said display means to display the text information if said

determination means determines that the acquired ID of the external device is not stored in the list (see col. 8, lines 5-8, text is displayed), VA service determines and displays and see Figure 3, step 318, determined if party is hearing impaired and Figure 5, not on list of speech impaired but on list for hearing impaired).

However, Alcendor does not specifically teach the determination of external device IDs.

Garudadri et al. does teach determining and acquiring external device IDs (see col. 8, lines 12-15, agent determines caller ID of the incoming telephone call) (e.g. A caller ID is a unique association with a telephone used for identification)

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service as taught by Alcendor with the acquiring and determination of device ID as taught by Garudadri et al. The motivation to have combined the references involves information exchange between devices (see Garudadri, col. 3, lines 15).

However, Alcendor in view of Garudadri do not specifically teach the notification of incoming message

Koskan *et al.* does teach notification means (see Figure 4, issue alert 435, 455) for, when the synthetic speech generated by said text-to-speech synthesis means is to be output to the audio output device (See Figure 455, message in audible form ) or when the text information is to be output to the display means

(see Figure 4, issue alert 435), notifying the user of an output (see col. 3, lines 25-28 and lines 35-37) (e.g. An alert is sent to the user if being presented in a visual form. The alert in the audible sense is the audible message, which tells the user the text message is being read).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service as taught by Alcendor in view of Garudadri et al. with the notification of input as taught by Koskan. The motivation to have combined the references involves the facilitation of information exchange between devices (see Garudadri, col. 3, lines 15 and see Koskan, col. 1, lines 25-26).

However, Alcendor in view of Garudadri in view of Koskan *et al.* do not specifically teach the superimposing means.

Toshiyuki does teach the superposing means for superposing the synthetic speech generated by said text-to-speech synthesis means and a sound different from the synthetic speech (see Abstract) (e.g. When an email is received, it is synthesized into speech and the music which was being output is integrated for output.),

in that wherein when the audio output device has already output the sound before the output of the synthetic speech, said superposing means superposes the synthetic speech with the sound, and the audio output device outputs the sound superposed with the synthetic speech (see Abstract) (e.g. The music

already output when an email is received. For output, the integration of the text and music is performed.)

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the information service method and apparatus as taught by Alcendor in view of Garudadri *et al.* in view of Koskan with the inclusion of a superposing means as taught by Toshiyuki. The motivation to have combined the references involves outputting multiple signals without interruption from other signals (see Toshiyuki, "Problem to be solved").

As to claim 17, method claim 17 and apparatus claim 16 are related as method and the apparatus of using same, with each claimed element's function corresponding to the claimed apparatus step. Accordingly claim 17 is similarly rejected under the same rationale as applied above with respect to apparatus claim 16.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yashchin *et al.* (US 5,832,433) is cited to disclose speech synthesis by selecting TTS device based on a stored list.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PARAS SHAH whose telephone number is (571)270-1650. The examiner can normally be reached on MON.-THURS. 7:00a.m.-4:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571)272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. S./  
Examiner, Art Unit 2626

08/08/2008

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2626